

Serial No.: 10/672,106

Attorney Docket No.: 2003P08211US

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REMARKS

Claims 1, 3-14, and 16-20 are pending.

Claims 1, 4-8 and 14 have been rejected under 35 U.S.C. 102(b) as being anticipated by Jones, Jr., U.S. Patent Application No. 2001/0052849 ("Jones"). In order for there to be anticipation, each and every element of the claimed invention must be present in a single prior reference. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Jones.

As described in the Specification, a remote device equipped with an audible alarm and a transmission alarm is provided in accordance with embodiments of the present invention. The alarms can be sounded based upon different boundaries or geographic ranges. In particular, in certain embodiments, an alarm can sound when a device is determined to be outside a predetermined geographic range; the location can be transmitted to an administration device a predetermined period after the alarm has sounded if the device is not returned to within the range.

Thus, claim 1 recites "wherein said wireless communications controller is adapted to cause positioning information to be transmitted to an associated administration device when said telecommunications device is determined to be outside said first predetermined geographic range for longer than a predetermined period after said audible alarm has been generated;" and claim 14 recites "generating an audible warning if said wireless device is determined to be outside said first predetermined geographic range; and transmitting one or more alerting signals to an administrative device when said wireless device is determined to be outside said first predetermined geographic range for longer than a predetermined period after said audible warning has been generated."

In contrast, while Jones relates to a wearable location monitoring and communication system, Jones does not provide for issuing an audible warning when a device is outside a range and then waiting to transmit location information a predetermined period after the breach, as generally recited in the claims at issue. Instead, provides that "[i]f the wearer 10 has breached the boundary rule set, the device 20 communicates notification of the breach to the server 40. . . The device 20 may be

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provided with LEDs and/or a speaker or buzzer to alert its wearer of the breach..." (Para. 0024).

Jones thus contains no hint that an alarm should first go off, and a transmission of location should follow a predetermined period thereafter. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 3 and 16-20 were rejected under 35 U.S.C. 103 as being unpatentable over Jones in view of Chaco, U.S. Patent No. 7,034,690 ("Chaco"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Jones or Chaco, either singly or in combination.

Jones has been discussed above. Chaco is relied on for allegedly transmitting position information when a device is outside a second predetermined boundary. While Chaco provides for yellow and red alarm conditions (Col. 8, lines 44-60), Chaco does not provide elements missing in Jones with reference to the base claims, i.e., that an alarm should first go off after breach of a boundary, and a transmission of location should follow a predetermined period thereafter. As such, its combination with Jones likewise does not provide such elements.

Claims 9-13 were rejected under 35 U.S.C. 103 as being unpatentable over Jones in view of Chaco. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Jones or Chaco, either singly or in combination.

Claim 9 recites "an administrative device for receiving alerts from said wireless communication device via said communications controller when said positioning controller determines that said wireless device is outside said first predetermined geographic range for longer than a predetermined period or is outside said first predetermined geographic range and a second predetermined geographic range and after said audible warning has been generated, but wherein said positioning controller does not send an alert if said wireless device returns to said first predetermined geographic range within the predetermined period."

Thus, claim 9 includes limitations similar to those discussed above with reference to the other independent claims. Since, as discussed above, neither reference provides for, e.g., "receiving alerts from said wireless communication device via said communications controller when said positioning controller determines that said

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wireless device is outside said first predetermined geographic range for longer than a predetermined period," the Examiner is respectfully requested to reconsider and withdraw the rejection.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully requested,

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